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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/665,642	09/19/2003	Steve LanPing Huang	81230.94US1	6107
34018 7590 05/09/2007 GREENBERG TRAUIG, LLP 77 WEST WACKER DRIVE SUITE 2500 CHICAGO, IL 60601-1732			EXAMINER HOLLOWAY III, EDWIN C	
			ART UNIT 2612	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

58

Office Action Summary

Application No.

10/665,642

Applicant(s)

HUANG ET AL.

Examiner

Edwin C. Holloway, III

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 March 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 68-109 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 72-81 is/are allowed.
- 6) ☒ Claim(s) 68-71 and 82-109 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) ✓
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

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DETAILED ACTION

1. In response to applicant's amendment filed 2-12-07, all the amendments to the specification and claims have been entered.

The examiner has considered the new presentation of claims and applicant's arguments in view of the disclosure and the present state of the prior art. And it is the examiner's opinion that the claims are unpatentable for the reasons set forth in this Office action:

Claim Objections

2. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claim starting from the second claim 88 thru claim 108 been renumbered as claims 89-109. Any response to this Office action is required to included a complete listing of claims with correct numbering of the claims.

Specification

3. The disclosure is objected to because of the following informalities:

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The continuing data should be updated to include the current status and patent numbers for all listed applications.

Appropriate correction is required.

Priority

4. Applicant's claim for the benefit of a prior-filed application under 35 U.S.C. 119(e) or under 35 U.S.C. 120, 121, or 365(c) is acknowledged. Applicant has not complied with one or more conditions for receiving the benefit of an earlier filing date under 35 U.S.C. 120 as follows:

The later-filed application must be an application for a patent for an invention that is also disclosed in the prior application (the parent or original nonprovisional application or provisional application). The disclosure of the invention in the parent application and in the later-filed application must be sufficient to comply with the requirements of the first paragraph of 35 U.S.C. 112. See *Transco Products, Inc. v. Performance Contracting, Inc.*, 38 F.3d 551, 32 USPQ2d 1077 (Fed. Cir. 1994).

The disclosure of the following prior-filed applications fails to provide adequate support or enablement in the manner provided by the first paragraph of 35 U.S.C. 112 for one or more claims of this application:

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- Application No. 10/151,635, filed 20 May 2002, which is (1) a CIP of 09/615,473, filed 13 July 2002; (2) CIP of 09/334,584, filed 16 July 1999 (now US 6,781,518), which is a CIP of 09/121,229, filed 23 July 1998 (now US 6,157,319); and (3) a CIP of 09/905,423, filed 13 July 2001, which claims benefit of 60/264,767, filed on 29 January 2001.
- Application No. 10/288,727, which claims benefit of 60/344,020, filed 20 December 2001, and 60/334,774, filed 20 November 2001.

These applications (10/151,635, 09/615,473, 09/334,584, 09/121,229, 09/905,423, and 10/288,727 all fail to provide adequate support a radio frequency identification (RFID) tag and reading system as claimed in claims 68-81, 84-92 and 95-109 discussed on pages 11-18, 26-31, and 36 of the current specification as filed. Further these applications fail to provide adequate support for the machine readable tag storing standardized information that functions to identify at least the appliance and vendor of the appliance in claims 82-109. Consequently, in the prosecution of this application, the priority date is established to be the filing date of the application (i.e., 19 September 2003).

Claim Rejections - 35 USC § 112

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and

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use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claims 82-109 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The instant application fails to provide adequate support for the machine readable tag storing standardized information that functions to identify at least the appliance and vendor of the appliance in claims 82-109.

Support for this limitation cannot be found on page 11 lines 9+ of the instant application or paragraphs 0040 and 0059 of parent application serial no. 10/151,635 - US 2003/0189509 - filed on May 20, 2002. It is unclear what is meant by page 11 lines 9+, but a tag storing vendor data cannot be found on page 11, pages 1-10 or 12-40 of the instant application, nor par. 00400, 0059 or other paragraph of parent US 2003/0189509. Vendor is not the same as manufacturer. Further, 10/151,635 is not incorporated by reference in the instant application as originally filed.

Therefore 10/151,635 cannot be relied on for support. See MPEP 201.06 IV. Further, the limitation in claims 91-92 and 101-107

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of without again requiring use by the setup procedure of the data received into the universal remote control is not supported by the original specification as this appears to be contradicted by the multiple steps (pg 16 line 11) of setup process on at least pages 15-16.

Claim Rejections - 35 USC § 103

7. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

8. Claims 68-71 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stefanik US006750801B2) in combination with Kaario (US 2005/0242167).

Regarding claim 68, Stefanik discloses a method of configuring an appliance including receiving data directly from a smartcard via the receiver of a universal remote control the data user profile, parental controls, visual settings or any other information individualized to the user or unique to the individual in col. 6 lines 54-62. The information is forwarded from the remote control by transmitter 86 to receiver 144 of appliance or consumer electronic device 140 in fig. 4 and col. 7 lines 10-24. The appliance is programmed to be configured in response to this information in col. 5 lines 24-41. Stefanik differs from the claims by not specifying the smartcard is an RFID tag and not specifying preferences mapped within memory of

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the appliance in accordance with the individual represented by the RFID.

Kaario discloses an analogous art method of configuring an appliance using an RFID token or tag. See the abstract. Par. 0043 and 0066 state that ID data may be stored on an RFID tag/transponder, or smart card, or other media. The appliance includes memory 235 that maps preferences to the appliance based on the individual identified by the RFID/smartcard. See par. 0036 and 0041.

Regarding claim 68, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included Stefanik the identifying information on a RFID as disclosed in Kaario because Kaario discloses RFID and smart card as obvious alternatives for applicant configuration and Stefanik suggest contactless reading in col. 6 lines 50-53.

Alternatively, it would have been obvious to have included the in Kaario the reader on the universal remote 210 to forward the information to the appliance as disclosed by Stefanik in view of Kaario teaching the storing the RFID data on other devices. Further, preferences mapped within memory of the appliance in accordance with the individual represented by the RFID would have been obvious in view of the memory in the appliance of Kaario for storing electronic program guide (EPG) information

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and suggested by Stefanik also being directed to configuration of EPG events and other settings.

Regarding claim 69, limited access would have been obvious in view of the parental controls, pay-per-view purchase and spending limits in col. 6 lines 54-63 of Stefanik.

Regarding claim 70, accessing content would have been obvious in view of the user history, favorite shows, favorite channels,... in col. 6 lines 54-63 of Stefanik.

Regarding claim 71, command transmission would have been obvious in view of forwarding the read data by remote control signal in col. 7 lines 17-24 and/or the parental control and visual settings in col. 6 lines 54-63 of Stefanik.

9. Claims 82-86, 93-97 and 108-109 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yang (US 6,133,847) in view of Gurney (US006754190B2).

Referring to claims 82 and 93, Yang teaches a configurable remote control device 100 having a memory 120 that stores programming code for controlling a plurality of appliances 160, such as VCR 200 and TV 220 (see Figs. 1-3B; Col. 3, lines 50-56; Col. 4, lines 39-46; and Col. 8, lines 32-44). As shown in Figs. 1-3B, Yang's remote control device 100 communicates bi-directionally with appliance 160 via data link 150, which is a radio frequency (RF) signal (see Col. 3, lines 19-24 and 66-67;

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Col. 4, lines 1-5; and Col. 8, lines 10-24). As shown in Fig. 4, Yang's method for setting up remote control device 100, which includes processor 135 and instructions for setting up remote control device 100 upon receiving an appliance 160's interface control signal (see Col. 4, lines 6-14), comprises (a) receiving an interface control signal, which is an identification signal, from a plurality of appliances 160 via remote control device 100's receiver 112 at step 410 (see Fig. 1; Col. 3, lines 25-29 and 50-65; Col. 7, lines 22-26; and Col. 8, lines 10-17 and 54-59); and (b) using the interface control signal received from each appliance 160 to cause select commands to be mapped to select command keys at steps 415 and 420, whereby remote control device 100 is set up such that activation of one or more of the select command keys causes remote control device 100 to issue via its transmitter 114 one or more of the select commands to command operation of an appliance 160 that has been associated with the interface control signal at step 425 (see Figs. 2A, 2B, 3A, and 3B; Col. 4, lines 6-31 and 52-67; Col. 5, lines 1-32 and 48-67; Col. 6, lines 1-58; and Col. 7, lines 26-34). Yang, however, fails to teach that the interface control signal is received from a machine readable tag storing standardized information that functions to identify at least the appliance and vendor of the appliance

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In an analogous art, Gurney discloses a method for efficient and reliable identification of a plurality of items using identification (ID) or electronic product codes (EPC) including object class, vendor code and serial number to identify device and vendor. See col. 1 lines 26-52, col. 3 lines 16-25 and col. 3 line 60 - col. 4 line 10). Scanned optical UPC and radio frequency (RFID) tags are discussed in col. 1 lines 43-46 and col. 3 lines 43-52.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Yang's remote control device 100 and method as taught by Gurney such that a remote control device 100 receives appliance 160's interface control data from an tag machine readable tag storing standardized information that functions to identify at least the appliance and vendor of the appliance because the tag of Gurney enables efficient and reliable retrieval of pertinent information to uniquely identify a plurality of items.

Regarding claims 83 and 94, UPC labels are disclosed in col. 1 line 46 and col. 3 line 4 of Gurney and would have been obvious in view of the optical communication in col. 3 line 45 of Gurney and for compatibility with prior art systems.

Regarding claims 84 and 95, RFID labels are disclosed in col. 3 line 46 Gurney and would have been obvious for know

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advantages such as non-line of sight communication and suggested by col. 3 line 40-42 of Yang teaching different control and identification signal mediums such as IR and RF.

Regarding claims 85 and 96, Yang and Gurney's method, comprises using the data received from an RFID tag to cause select programming code (i.e., select commands) stored in remote control device 100's memory 120 (i.e., a library stored locally on remote control device 100) to be mapped to select command keys (see Yang, Col. 3, lines 50-65; Col. 4, lines 6-31 and 52-67; Col. 5, lines 1-32 and 48-67; and Col. 6, lines 1-58).

Regarding claims 86 and 97, Yang teaches that remote control device 100 will automatically attempt to find the programming code in one of the many download mechanisms, starting with appliance 160 itself, and request that the programming code for a particular appliance identifier be downloaded to remote control device 100 when remote control device 100 receives an interface control signal from an appliance 160 that lacks programming code already stored in remote control device 100's memory 120 (see Yang, Col. 8, lines 54-66); thus Yang, as modified by Gurney, teaches using the data received from an machine readable tag to cause programming code (i.e., select commands) from a library stored within appliance 160 to be downloaded into remote control device 100 and mapped

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to select command keys (see Yang, Figs. 2A, 2B, 3A, and 3B; Col. 4, lines 6-31 and 52-67; Col. 5, lines 1-32 and 48-67; Col. 6, lines 1-58; and Col. 7, lines 26-34).

Regarding claim 108, Yang and Gurney's method further comprises remote control 100 device transmitting an RF signal to initiate receiving data via RF signal from the RFID tags (see Gurney, Fig. 13 and col. 8 lines 23-64).

Regarding claim 25, Yang and Gurney's method comprises receiving data from each RFID tag within a radio communication area of remote control device 100 (see Yang, Col. 3, lines 19-29 and Col. 8, lines 10-14; and see Gurney col. 8 lines 23-64).

10.. Claims 87-88, 90, 98-99 and 101 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yang (US 6,133,847) in view of Gurney (US006754190B2) as applied above, and further in view of Harris et al. (US 2001/0033243).

Regarding claims 87-88, 90, 98-99 and 101, though Yang and Gurney teach remote control device 100 automatically attempting to find the programming code in one of the many download mechanisms and request that the programming code for a particular appliance identifier be downloaded to remote control device 100 when remote control device 100 receives an interface control signal from an appliance 160 that lacks programming code

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already stored in remote control device 100's memory 120 (see Yang, Col. 8, lines 54-66), Yang and Gurney's method lacks (1) establishing a connection with the library directly from remote control device 100 (as called for in claims 87 and 97), and (2) establishing a connection with the library by means of an intermediate device (as called for in claims 88 and 99), wherein (3) the intermediate device is a personal computer (as called for in claims 90 and 101).

In an analogous art, Harris teaches an online remote control configuration system, as shown in Figs. 7 and 8, comprising electronic system 100 of remote control configuration system 10 (hereinafter referred to as "remote control 10") that connects to Internet 130 via computer system 60 (i.e., a personal computer) or directly (see Sections [0050]-[0059]). Harris's method for setting up remote control 10, which has a microprocessor 116 that retrieves instruction from memory in order to control remote control 10 (see Sections [0054]-[0055], [0058], and [0061]), comprises (a) receiving a signal emitted from a remote control corresponding to electronic device 12 and uploading the sampled signal to control station 40 via Internet 130 or entering relevant product information of electronic device 12, such as device type and model, to control station 40 via Internet 130 (see Sections [0047]-[0048] and [0077]-[0084]);

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and (b) using the sampled signal to cause configuration data (i.e., select commands) from a library stored at control station 40 to be downloaded into remote control 10 and mapped to select command keys (see Sections [0063], [0082], and [0085]-[0086]).

As called for in claims 87 and 98, Harris's method includes remote control 10 establishing an Internet connection with a library stored at control station 40 directly from remote control 10 (see Fig. 8 and Sections [0059], [0081], and [0085]).

As called for in claims 88 and 99, Harris's method also includes remote control 10 establishing an Internet connection with a library stored at control station 40 by means of an intermediate device, wherein the intermediate device is computer system 60 (i.e., a personal computer since remote control 10 is used for controlling home electronic devices), as called for in claims 89 and 101 (see Fig. 7 and Sections [0059], [0081], and [0085]).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Yang and Gurney's remote control device 100 and method as taught by Harris because establishing a connection with the library directly from remote control device 100 (as called for in claims 87 and 98) or establishing a connection with the library by means of an intermediate device (as called for in

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claims 88 and 99), wherein the intermediate device is a personal computer (as called for in claims 90 and 101), allows equipment manufacturers to maintain a centralized library containing the programming codes for each appliance 160, thereby eliminating the need to provide programming codes within each appliance 160, which reduces production costs, and facilitating programming code updates.

11. Claims 88-89 and 99-100 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yang (US 6,133,847) in view of Gurney (US006754190B2) as applied above, and further in view of van Ee et al. (US 6,774,813).

Regarding claims 88-89 and 99-100, though Yang and Gurney teach remote control device 100 automatically attempting to find the programming code in one of the many download mechanisms and request that the programming code for a particular appliance identifier be downloaded to remote control device 100 when remote control device 100 receives an interface control signal from an appliance 160 that lacks programming code already stored in remote control device 100's memory 120 (see Yang, Col. 8, lines 54-66), Yang and Gurney's method lacks establishing a connection with the library by means of an intermediate device (as called for in claims 88 and 99), wherein the intermediate

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device is a cable set top box (as called for in claims 89 and 100).

In an analogous art, van Ee's system, as shown in Fig. 1, comprises (1) programmable control device 106 that controls apparatus 102 and 104 (see Col. 5, lines 30-49) and (2) programming means 110, which is a set top box, that programs control device 106 and includes Internet connection hardware 114 that connects to remote server 118, which has a database (i.e., library) of a plurality of respective sets of multiple control signals to control a plurality of apparatuses (see Col. 5, lines 50-65). Van Ee's method, as shown in Fig. 2, comprises (a) a user selecting control codes from a database (i.e., library) stored at remote server 118 to be downloaded into control device 106 and mapped to select command keys at step 202 (see Col. 5, lines 50-67; Col. 6, lines 1-23; and Col. 7, lines 35-42); (b) remote server 118 identifying all the sets of control codes corresponding to the user-selected apparatus type/brand combination at step 206 and selecting a particular control code corresponding to a particular function of the apparatus to be controlled and transmitted the control codes to programming means 110 via Internet 116 at step 210 (see Col. 7, lines 43-49); (c) programming means 110 interleaving control codes with associated identifier codes and transmitting the interleaved

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control signal to control device 106 to program control device 106 at step 214 (see Col. 7, lines 50-54); (d) the user pressing a button on control device 106's user interface 108 to transmit a control code and its associated identified code for each press at step 216 to determine whether the apparatus to be controlled responded to the transmitted control code at step 218 (see Col. 7, lines 54-58); (e) if the apparatus responded to a transmitted control code, associating the identifier code associated with the control code that caused the apparatus to respond with its respective control code at step 220, and transmitting the respective control code to remote server 118 via Internet 116 at step 22 (see Col. 7, lines 60-66); (f) remote server 118 identifying the set of control codes in which the respective control code belongs to at step 22 and transmitting the identified set to programming means 110 at step 226 (see Col. 7, lines 66-67 and Col. 8, lines 1-2); and (g) programming means 110 transmitting the identified set to control device 106 to associate the control codes of the identified set with control device 106's multiple user inputs (i.e., to map select commands to select command keys). As called for in claims 88 and 99, van Ee's method comprises control device 106 establishing a connection with remote server 118's library by means of an intermediate device, which is a set top box, as called for in

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claims 89 and 100 (see Col. 5, lines 50-56; Col. 7, lines 36-67; and Col. 8, lines 1-15).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Yang and Gurney's remote control device 100 and method as taught by van Ee because establishing a connection with the library by means of an intermediate device (as called for in claims 88 and 99), wherein the intermediate device is a cable set top box (as called for in claims 89 and 100), allows equipment manufacturers to maintain a centralized library containing the programming codes for each appliance 160, thereby eliminating the need to provide programming codes within each appliance 160, which reduces production costs, and facilitating programming code updates.

12. Claims 91-92, and 102-107 are rejected under 35

U.S.C. 103(a) as being unpatentable over Yang (US 6,133,847) in view of Gurney (US006754190B2) as applied to claim 14 above, and further in view of Gharapetian (US 2002/0101357).

Regarding claims 28-30, Yang and Gurney's method comprises using the data received from each of the RFID tags to automatically map select commands to select command keys, as explained in the previous rejections of claim 26, but lacks remote control device 100 simultaneously commanding a plurality

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of appliances 160 when remote control device 100 is placed in such a mode.

In an analogous art, Gharapetian's method comprises (a) remote control 100 receiving a plurality of address codes (see Fig. 5 and Sections [0028]-[0031]); and (b) remote control 100 using the received address codes to cause commands to be mapped to select command keys such that activation of one or more of the select command keys causes remote control 100 to control an appliance that has been associated with each received address code (see Fig. 3 and Sections [0018], [0024]-[0026], and [0028]). Regarding claims 91-92, 102 and 105, Gharapetian teaches that remote control 100 has at least one input device 120 that is dedicated to simultaneously turning on or off electronic devices 102, 104, and 106 (see Sections [0017], [0019], and [0020]). In other words, Gharapetian's method comprises using the address codes of electronic devices 102, 104, and 106 to automatically map select commands to select command keys in a mode of remote control 100 such that a plurality of electronic devices 102, 104, and 106 are simultaneously commandable when remote control 100 is placed into the mode by a user pressing input device 120 that is dedicated to simultaneously turning on or off electronic devices 102, 104, and 106. One the command sequence/macro is setup, it

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is stored in memory (par. 0023 of Gharapetian) without again requiring the setup procedure. Obviously, the setup may include user input of the address or input of the address from a tag as suggested by col. 9 lines 16-25 teaching appliance ID input by user selection or signal from the appliance. Regarding claims 103-104 and 106-107, it is understood that the pressing of input device 120 that is dedicated to simultaneously turning on or off electronic devices 102, 104, and 106 places remote control 100 in a home theater mode (as called for in claims 103 and 106) or room mode (as called for in claims 104 and 107) since pressing input device 120 simultaneously turns on or off a home theater system comprising amplifier 102, TV 104, DVD player 106, control boxes for room lighting, control boxes for controlling a room's curtains, etc. (see Sections [0006]-[0009], [0017], and [0019]).

Allowable Subject Matter

13. Claims 72-81 are allowed.

14. Applicant's arguments with respect to claims 68-71 and 82-107 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kitao (US006124804A) discloses remote control configured in response

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to device code from appliance that identifies the appliance (category, lot number, etc.) and manufacturer of the appliance.

16. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

CONTACT INFORMATION

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on

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access to the Private PAIR system, contact an Electronic Business Center (EBC) representatives at 571-272-4100 or toll free at 1-866-217-9197 between the hours of 6 a.m. and midnight Monday through Friday EST, or by e-mail at ebc@uspto.gov. The Patent EBC is a complete customer service center that supports all Patent e-business products and service applications. Additional information is available on the Patent EBC Web site at <http://www.uspto.gov/ebc/index.html>.

Any inquiry of a general nature should be directed to the Technology Center 2600 receptionist at (571) 272-2600. Facsimile submissions may be sent via central fax number 571-273-8300 to customer service for entry by technical support staff. Questions related to the operation of the facsimile system should be directed to the Electronic Business Center.

CENTRALIZED DELIVERY POLICY: For patent related correspondence, hand carry deliveries must be made to the Customer Service Window (now located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314), and facsimile transmissions must be sent to the Central FAX number, unless an exception applies. For example, if the examiner has rejected claims in a regular U.S. patent application, and the reply to the examiner's Office action is desired to be transmitted by facsimile rather than mailed, the reply must be sent to the Central FAX Number. Inquiries concerning only hours and location of the Customer Window may be directed to OIPE Customer Service at (571) 272-4000

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edwin C. Holloway, III whose telephone number is (571) 272-3058. The examiner can normally be reached on M-F (8:30-5:00). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Zimmerman can be reached on (571) 272-3059.

EH
5/8/07


EDWIN C. HOLLOWAY, III
PRIMARY EXAMINER
ART UNIT 2612